

10/558,168

REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

The above amended paragraphs of the specification overcome some informalities noted in the specification on file, e.g., correct a slight translational error contained within the specification and provide alternative terminology for the electric device. The undersigned avers that the amended paragraphs of the specification do not contain any new subject matter since the originally filed drawing and specification provide ample support for the entered amendments.

The Applicant is unsure which reference the Examiner is referring to which is allegedly listed in the specification, but not listed on the filed Information Disclosure Statement (IDS). The Applicant has confirmed, by viewing the documents listed in the application on the United States Patent and Trademark Offices private PAIR system, that a 2 page Information Disclosure Statement was, in fact, filed with this case and given a mail room date of November 23, 2005. Furthermore, the Information Disclosure Statement, which was previously filed, does include the only patent listed in the specification, namely, DE-199 17 665 A1. If another reference is required to be made of record, the Examiner is kindly requested to identify this reference so that the same may be properly made of record in this case.

Although an Abstract was previously filed on a single page, the objection raised with respect to the Abstract of the Disclosure is believed to be overcome by the accompanying Abstract on a single page. If any further amendment to the Abstract is believed necessary, the Examiner is invited to contact the undersigned to discuss the proposed change(s) to the same.

With respect to the drawing objection, the Applicant respectfully submits that the V-ring lining of claim 8 is diagrammatically shown in the Figure and thus no drawing amendment is required concerning this feature. With respect to the features of claim 10, to simplify prosecution of this application, that claimed subject matter is canceled from this application. In view of the above, no drawing amendments are believed necessary.

10/558,168

Claims 6-9 and 11 are then rejected, under 35 U.S.C. § 102(b), as being anticipated by Schuh '539 (United States Patent No. 5,708,539). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

Schuh '539 relates to a disk storage drive having an electric motor including a stator 2 and a rotor 1, which retains and drives digital media storage disks 5, 6. This drive is used in "clean rooms" where significant measures are taken to keep out dust and dirt. The drive includes a number of mechanical parts, such as bearings 20, 21. These parts apparently produce enough dust or dirt that elaborate seals are required to retain the dust, dirt and other debris inside the electric motor.

As seen in FIG. 5, these seals include a number of cavities 101 into which extend a number of protrusions 105. The surfaces 107, 108 of the cavities 101 are designed to slant inwardly toward the interior of the motor. Likewise, the protrusions 104 have surfaces 105, 106 that slope inwardly toward the interior of the motor.

The specific designs and slopes of the walls of the cavities 101 and protrusions 104 are for the purpose of preventing airflow through the seals. "These cavities . . . are shaped in cross- section to create . . . no airflow toward the outside" (see column 8, lines 14-16). "These protrusions . . . avoid a general radial movement of air flow between the rotating and stationary parts" (see column 8, lines 34-36). In this manner, no air flows through the seal and any debris created in the interior of the motor is prevented from moving through the seal to the exterior.

Contrary to the above, the lining of the presently claimed invention application is drastically different from the seal of the Schuh '539 reference. The inventive lining is used in an electric machine, which is used in conjunction with an internal combustion motor in a motor vehicle, not for driving digital media storage disks as with the Schuh '539 reference. Accordingly, the electric machine is used in an environment that includes lubrication and cooling fluids. The lining is designed to prevent these fluids from entering the space between the stator and the rotor of the electric machine. In this regard, the lining includes an annular gap and an air intake opening, which enables air to flow past the stator and the rotor as the

10/558,168

electric machine is operating. This flow of air directs any fluid that may have entered into the electric machine out past the lining. During rotation of the electric machine, a continuous air flow is created which prevents entrance of fluid past the seal.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, the new independent claims of this application are now more specifically directed to automobiles and recite the features of

a lining is arranged adjacent an opposed second end of the annular gap for sealing the second end and preventing fluid from entering the annular gap, the lining at least partially opens the second end of the annular gap, upon rotation of the rotor, to draw a flow of air into the annular gap, through the air intake opening, and direct the flow of air towards the opposed second end, and the flow of air exiting the annular gap past the lining at the second end prevents fluid from entering the annular gap.

Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

Next, claim 10 is rejected, under 35 U.S.C. § 103(a), as being unpatentable over Schuh '539 in view of Okabe et al '599 (United States Patent No. 6,184,599). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

The Applicant acknowledges that the additional reference of Okabe et al '599 may arguably relate to the feature(s) indicated by the Examiner in the official action. Nevertheless, the Applicant respectfully submits that the combination of the base reference of Schuh '539 with the additional art of Okabe et al '599 still fails to in any way teach, suggest or disclose the above distinguishing features of the presently claimed invention. As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the

RECEIVED
CENTRAL FAX CENTER

SEP 04 2008

10/558,168

Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Schuh '539 and/or Okabe et al '599 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018
Customer No. 020210
Davis Bujold & Daniels, P.L.L.C.
112 Pleasant Street
Concord, NH 03301-2931
Telephone 603-226-7490
Facsimile 603-226-7499
E-mail: patent@davisandbujold.com